

BUREAU OF AUTOMOTIVE REPAIR

Specific Language of Proposed Regulation Amendment

Legend: Deleted text is indicated by ~~striethrough~~.

Added text is indicated by underlining.

Omitted text is indicated by (* * * *).

(1) Section 3340.42 of Division 33 of Title 16 of the California Code of Regulations is amended to read as follows:

§ 3340.42 Mandatory Emissions Inspection Standards and Test Procedures.

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(c) Beginning July 1, 2002, motor vehicles subject to the program, except as provided in paragraph (1) of this subsection, shall be given a low-pressure test of the fuel evaporation control system as part of a smog check inspection.

(1) The following vehicles are exempt from the fuel evaporative pressure test:

(A) 1996 and newer model-year vehicles equipped with a Series II On-Board Diagnostic (OBD II) system with the capability to perform a self-diagnosis of the vehicle's fuel evaporative system.

(B) Vehicles that appear on the "Fuel Evaporative Test Incompatibility List," as published and periodically updated by the bureau.

(C) Vehicles powered exclusively by compressed natural gas (CNG), liquid natural gas (LNG), or liquid petroleum gas (LPG).

(D) Vehicles not originally equipped with a fuel evaporation control system.

(E) Vehicles with a fuel evaporative canister and fuel vapor hoses that are not readily accessible and would require the partial dismantling of the vehicle in order to gain access to them for testing. If the technician determines that the fuel evaporative system pressure test is infeasible pursuant to this paragraph, the technician shall write on the vehicle inspection report

the location of the canister and the fact that an evaporative pressure test was not performed.

(2) A smog check station shall have, not later than July 1, 2002, a low-pressure fuel evaporative pressure tester that has been certified by the bureau. The fuel evaporative system pressure tester shall initially be of an automated, stand-alone design, but shall have the capability in the future to transmit fuel evaporation system test results and other data to a test analyzer system or emissions inspection system, as appropriate. The certified tester shall compensate for ambient temperature, fuel tank volume, fuel level, and fuel volatility.

(3) Smog Check stations and Smog Check technicians shall perform the fuel evaporative systems pressure test as follows:

(A) Temporarily create an airtight seal in the fuel vapor line from the fuel tank as close to the fuel evaporative canister as possible. If the vehicle is equipped with multiple canisters, each canister fuel vapor line must be temporarily sealed.

(B) Following the instructions supplied by the pressure tester's manufacturer, attach the pressure tester to the fuel fill inlet of the vehicle's gasoline tank and perform the test. For vehicles with multiple tanks, including aftermarket tanks, each tank must be tested separately unless the tank has been rendered permanently inoperative. At the completion of the test, the technician shall check the pressure tester for results and, then following the tester manufacturer's directions, depressurize the evaporative system and remove the tester and return the fuel evaporative system to its original configuration. If the tester indicates that the fuel evaporation system has failed, the technician shall enter "F" (Defective) in the applicable category when prompted by the TAS or EIS, as appropriate, and the vehicle shall fail the inspection.

(4) Repair expenditures made at a licensed smog check station to correct a failed pressure test shall be credited toward the repair cost waiver expenditure specified in Section 44017 of the

Health and Safety Code, or applied to the repair assistance program co-payment specified in Section 44062.1 of the Health and Safety Code and Sections 3340.9 and 3394.4 of this chapter.

This subsection shall not apply to vehicles with tampered fuel evaporation control systems.

(5) Nothing in this section shall excuse a station or a technician from completing the visual inspection of the vehicle as required by section 3340.16.7 or the liquid fuel leak inspection as required by subsection (b) of this regulation.

~~(e)~~(d) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter standards are as follows:

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NOTE: Authority cited: Section 9882 of the Business and Professions Code and Sections 44001.5, 44002, 44003, 44012, 44013 and 44036, Health and Safety Code. Reference: Sections 9884.8 and 9884.9 of the Business and Professions Code and Sections 39032.5, 44002, 44003, 44005, 44011, 44011.3, 44010, 44012, 44013, 44014, 44014.5, 44014.7, 44015, 44017, 44017.1, 44032, 44033, 44036, 44037.1, 44062.1 and 44081, Health and Safety Code.